



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

SEP 08 2011

James A. Keaney, Jr.
Director of Capital Projects
City of Hartford
525 Main Street, 4th Floor
Hartford, Connecticut 06106

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c)
and § 761.79(h)
International Baccalaureate School
Hartford, Connecticut

Dear Mr. Keaney:

This is in response to the Hartford School Building Committee (HSBC) Notification¹ for approval to clean up and dispose of PCB-contaminated building materials located in the building known as the International Baccalaureate School located at 85 Edwards Street, Hartford, Connecticut. Specifically, the east building and connecting bridges and tunnels (hereinafter "the Site") contains PCB caulk that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a) and § 761.62.

In its Notification, HSBC has proposed the following PCB cleanup and disposal plan:

- Remove and dispose of PCB caulk with greater than or equal to (\geq) 50 parts per million (ppm) and backing material, if present
- Remove and dispose of PCB-contaminated *non-porous surfaces* (i.e., metal window and door frames in their entirety, and metal sill caps)
- Remove PCB-contaminated building *porous surfaces* (i.e., brick and concrete) to a distance of 3 inches from the PCB caulk joint
- Remove PCB-contaminated asphalt with a PCB concentration greater than ($>$) 1 ppm

¹ The Notification was prepared by TRC on behalf of the City of Hartford School Building Committee to satisfy the notification requirement under 40 CFR § 761.61(a)(3). Information was submitted dated May 9, 2011 (Self-Implementing On-Site Cleanup and Disposal Plan (SIDP)); July 26, 2011 (email response to comments); August 25, 2011 and August 29, 2011 (email response to questions). These submittals shall be referred to as the "Notification".

- Dispose of all wastes, except soil with a PCB concentration > 1 but less than (<) 50 ppm, in a TSCA-approved or RCRA hazardous waste landfill
- Dispose of soils with a PCB concentration > 1 ppm but < 50 ppm at a state permitted disposal facility in accordance with § 761.61(a)(5)(i)(B)(2)(ii)
- Conduct verification sampling to verify that the PCB cleanup standard of less than or equal to (\leq) 1 ppm has been achieved

HSBC has determined that certain caulks and glazing which have PCB concentrations at < 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the caulk or glazing or for decontamination of surfaces that are in contact with the caulk or glazing. While these building materials are not addressed in the Approval, HSBC indicates in its Notification that the *Excluded PCB Products* will be removed and disposed of.

Based on EPA's review, the information provided in the Notification meets the requirements under 40 CFR §§ 761.61, 761.62, and 761.79(h) for removal and disposal of *PCB bulk product waste* and for removal and/or decontamination of *PCB remediation waste*. Further, the proposed decontamination and disposal activities are consistent with the requirements and standards established under § 761.61(a), § 761.62, § 761.79 for similar types of PCB-contaminated materials.

Please be aware that under this Approval, EPA is requiring a higher frequency verification sampling for certain *porous surfaces* than was proposed in the Notification. The higher frequency sampling requirement is based on the fact that HSBC has provided insufficient data to support its proposed sampling frequency. (See Attachment 1, Condition 12c).

HSBC may proceed with its cleanup in accordance with 40 CFR § 761.61(a); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

This Approval does not release HSBC from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Connecticut Department of Energy and Environmental Protection (CT DEEP) regulations.

Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "James T. Owens III", followed by a stylized flourish.

James T. Owens III, Director
Office of Site Remediation & Restoration

cc: Jennifer Peshka, TRC
Gary Trombly, CT DEEP
File

Attachment 1- Approval Conditions

Attachment 2- EPA Region 1 *Standard Operating Procedure For Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*

ATTACHMENT 1

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS INTERNATIONAL BACCALAUREATE SCHOOL ("the Site") 85 EDWARDS STREET, HARTFORD, CONNECTICUT

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. The Hartford School Building Committee (HSBC) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. HSBC must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, HSBC shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. HSBC is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time HSBC has or receives information indicating that HSBC or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by HSBC are authorized to conduct the activities set forth in the Notification. HSBC is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release HSBC from compliance with any applicable requirements of federal, state or local law; or 3) release HSBC from liability for, or otherwise resolve, any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from HSBC of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. HSBC shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment and air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL and DISPOSAL CONDITIONS

11. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
12. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of PCB caulk (i.e. *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. The cleanup standard for soils shall be less than or equal to (\leq) 1 part per million (ppm). Bulk *PCB remediation waste* (i.e. soil) samples shall be collected on a bulk basis (e.g. mg/kg) and reported on a dry-weight basis. Verification sampling shall comply with Subpart O; samples shall be collected from both excavation bottoms and sidewalls, as applicable.

- c. The decontamination standard for building *porous surfaces* (i.e. concrete and brick) shall be ≤ 1 ppm. Sampling for *porous surfaces* shall be performed on a bulk basis (i.e., mg/kg) and reported on a dry weight analysis. Sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure For Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches.
- i) The following verification sampling frequency shall be used:
- (1) Brick in contact with Exterior Door Caulk (196 linear feet (LF)): one (1) sample per 50 linear feet (LF). A minimum of four (4) samples shall be collected.
 - (2) Brick in contact with Exterior Window Sill Cap Caulk (592 LF) (East Building): one (1) sample per 25 LF for the first 100 LF. In the event that all initial verification sampling results are ≤ 1 ppm, the verification sampling frequency may be reduced to 1 sample per every 50 LF for the remainder of these *porous surfaces*. A minimum of 14 samples shall be collected.
 - (3) Concrete in contact with Exterior Window Sill Cap Caulk (100 LF) (First Floor, East Building): one (1) sample per 25 LF. A minimum of four (4) samples shall be collected.
 - (4) Brick in contact with Exterior Window Sill Cap Caulk (320 LF) (Connector Bridges): one (1) sample per 25 LF with a minimum of three (3) samples per side. A minimum of twelve (12) samples shall be collected.
 - (5) Brick in contact with Exterior Expansion Joint Caulk (1840 LF): one (1) sample per 25 LF for first 100 LF. In the event that all initial verification sampling results are ≤ 1 ppm, the verification sampling frequency may be reduced to 1 sample per every 50 LF for the remainder of these *porous surfaces*. A minimum 39 samples shall be collected.
- ii) In the event **any** concrete or brick verification sample that is collected using the alternative sampling frequency is greater than ($>$) 1 ppm, HSBC shall contact EPA for a determination on the appropriate verification sampling frequency for the remaining *porous surfaces*. Alternatively, HSBC shall continue to use the initial verification sampling frequency (i.e., 1 sample per 25 LF) for the remainder of this project.

- d. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
13. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

- 14. HSBC shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by HSBC to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
- 15. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
- 16. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
- 17. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

18. HSBC shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by HSBC in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
19. HSBC shall submit a final report to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities; characterization and confirmation sampling analytical results;; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the decontaminated area(s); copies of manifests and bills of lading; and, copies of certificates of disposal or similar certifications issued by the disposer.
20. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
21. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1